

APPEAL NO. 041077
FILED JUNE 24, 2004

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing (CCH) was held on April 13, 2004. The hearing officer resolved the disputed issue by deciding that the appellant (claimant) is not entitled to reimbursement of travel expenses for medical treatment at the direction of Dr. SW. The claimant appealed and the respondent (self-insured) responded.

DECISION

Affirmed.

Tex. W.C. Comm'n, 28 TEX. ADMIN. CODE § 134.6 (Rule 134.6) contains the requirements for reimbursement of travel expenses, one of which is that medical treatment for the compensable injury is not reasonably available within 20 miles of the injured employee's residence. The hearing officer considered the evidence presented at the CCH and determined that the claimant is not entitled to reimbursement of travel expenses for medical treatment at the direction of Dr. SW. The hearing officer was persuaded that medical treatment for the compensable injury, in the nature of management of the claimant's infusion pump, is reasonably available within 20 miles of the claimant's residence. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the finder of fact, the hearing officer resolves the conflicts in the evidence and determines what facts have been established. We conclude that the hearing officer's decision is supported by sufficient evidence and is not so against the great weight and preponderance of the evidence as to be clearly wrong and unjust. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

We affirm the hearing officer's decision and order.

The true corporate name of the insurance carrier, **a governmental entity that self-insures, either individually or collectively, through the Texas Association of School Boards Risk Management Fund** and the name and address of its registered agent for service of process is

**CS
(ADDRESS)
(CITY), TEXAS (ZIP CODE).**

Robert W. Potts
Appeals Judge

CONCUR:

Judy L. S. Barnes
Appeals Judge

Thomas A. Knapp
Appeals Judge